

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

NGUYEN *et al.*

Appl. No.: 10/700,485

Filed: November 5, 2003

For: **High-Performance, Superscalar-Based Computer System With Out-Of-Order Instruction Execution**

Confirmation No.: To Be Assigned

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: SP015.C17 (1397.028000H)

Second Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Supplemental Information Disclosure Statement filed on January 9, 2004 in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR **before the mailing date of a first Office Action on the merits** OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
- a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee.

Enclosed find our PTO-2038 Credit Card Payment Form in the amount of
\$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

5. Document **AL6** was cited in three Office Actions (documents **AS30**, **AT30** and **AR31**) issued in Japanese counterpart applications. Translations of these Office Actions have been provided and indicate the degree of relevance found by the foreign office in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38. A partial English language translation of document **AL6** has also been provided.

6. A concise explanation of the relevance of the non-English language document(s) appears below:

7. Copies of the documents are submitted herewith.

8. Copies of the documents were cited by or submitted to the Office in an IDS that

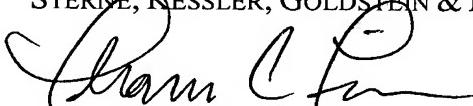
complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO 1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: January 23, 2004

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FORM PTO-1449 <u>INFORMATION DISCLOSURE STATEMENT</u>				ATTY. DOCKET NO. SP015.C17 (1397.028000H)	APPLICATION NO. 10/700,485		
				FIRST NAMED INVENTOR: NGUYEN et al.			
FILING DATE November 5, 2003				ART UNIT <i>To Be Assigned</i>			
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA7	4,644,466	02/17/1987	Saito			
	AB7						
	AC7						
	AD7						
	AE7						
	AF7						
	AG7						
	AH7						
	AI7						
	AJ7						
	AK7						
FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL6	2-130635	05/18/1990	Japan			<input checked="" type="checkbox"/> Yes No
	AM6	0 331 191	09/06/1989	EP			<input type="checkbox"/> Yes No
	AN6	0 155 211	09/18/1985	EP			<input type="checkbox"/> Yes No
	AO6						<input type="checkbox"/> Yes No
	AP6						<input type="checkbox"/> Yes No
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	AR	<u>30</u>	European Search Report issued December 9, 2003 in EP application no. 03 02 4585, 3 pages.				
	AS	<u>30</u>	Notice of Reason of Rejection, mailed October 24, 2003, for Japanese Appln. No. 2000-146441, 2 pages, accompanied by translation of 2 pages.				
	AT	<u>30</u>	Notice of Reason of Rejection, mailed October 24, 2003, for Japanese Appln. No. 2000-146442, 2 pages, accompanied by translation of 4 pages.				
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT			ATTY. DOCKET NO. SP015.C17 (1397.028000H)	APPLICATION NO. 10/700,485
			FIRST NAMED INVENTOR: NGUYEN et al.	
			FILING DATE November 5, 2003	ART UNIT To Be Assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
O I P E	AA8						
JAN 23 2004	AB8						
TRADEMARK DESIGN	AC8						
	AD8						
	AE8						
	AF8						
	AG8						
	AH8						
	AI8						
	AJ8						
	AK8						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL7						Yes No
	AM7						Yes No
	AN7						Yes No
	AO7						Yes No
	AP7						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

Notice of Reason of Rejection, mailed October 24, 2003, for Japanese Appln. No. 2000-146443, 2 pages, accompanied by translation of 4 pages.

AR	<u>31</u>	
AS	<u>31</u>	
AT	<u>31</u>	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.